PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/698,702 TRANSMITTAL Filing Date October 31, 2003 First Named Inventor **FORM** Charles L. Branch et al. Art Unit 3733 Examiner Name Pedro Philogene (to be used for all correspondence after initial filing) Attorney Docket Number MSDI-186/PC365.07 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC **✓** Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Return Receipt Postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD **Certified Copy of Priority** Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Krieg DeVault LLP Signature Printed name Bred A. Schepers Date Reg. No. April 6, 2007 45.431 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with

sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Brad A. Schepers Typed or printed name

Date April 6, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

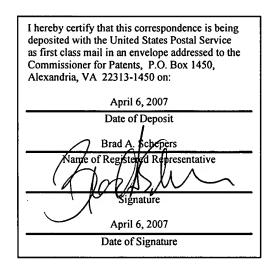
In re patent application of:)]	Before the Examiner:
Charles L. Branch et al.) 1	Pedro Philogene
)	
Application of Serial No. 10/698,702) (Group Art Unit 3733
•)	
Filed October 31, 2003) 1	Ref. No. MSDI-186/
)	PC365.07
INTERBODY FUSION GRAFTS)	
AND INSTRUMENTATION)	April 6, 2007

RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office communication dated March 7, 2007, please enter and consider the following amendments and remarks. Please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.



INTRODUCTORY COMMENTS

Claims 63-216 were pending in the subject application for the Office communication dated March 7, 2007. The Applicant has canceled claims 63-216 from the subject application without prejudice for possible submission in a continuing application. Additionally, the Applicant has added new claims 217 and 218.

Response to Office Communication Application Serial No. 10/698,702 Our Ref: MSDI-186/PC365.07